S.B. CIVIL WRIT PETITION NO.3137/1994
Mula Ram & Ors.
Vs.
Superintending Engineer, Irrigation Circle,
Sriganganagar & Ors.

DATE OF ORDER :: 12-05-2005

HON'BLE MR. GOVIND MATHUR,J.

Mr. J.L. Purohit, for the petitioner.
Mr. Shyam Ladhrechs, Addl.G.A.
Mr. K.L. Joshi, for
Mr. B.C. Bhansali, for the respondent.

Today an order was passed to adjourn this matter for a period of two weeks, as nobody was present to persue the petition.

After passing of the order above, counsel for the petitioner appeared before the Court and made a request to take up the matter for hearing. Request made is allowed.

Heard learned counsel for the petitioner and also the learned Addl. G.A. Mr. Shyam Ladhrecha.

In para 5 of the writ petition, it is averred by the petitioner that against the order impugned dated 29.1.1991, petitioner preferred an appeal before the Chief Engineer, Irrigation, Hanumangarh Jn. and the appeal was pending for hearing at the time of filing the present writ petition. Counsel for the petitioner has stated that the appeal has not been decided by the Chief Engineer yet.

Looking to the facts and circumstances of the case, I consider it appropriate to direct the Appellate Authority i.e. Chief Engineer, Irrigation, Hanumangarh Jn. to decide the appeal preferred by the petitioner assailing the validity and propriety of the order dated 29.1.1991 within a period of two months from today, if not already decided.

Learned counsel for the petitioner shall produce a certified copy of this order before the Chief Engineer within a fortnight. Petitioner shall be at liberty to raise all the contentions before the Chief Engineer which he has raised in present writ petition. The interim order granted by this Court shall remain in currency for a period of two months, thereafter the Chief Engineer may pass an order for interim relief if so required.

The writ petition is disposed of accordingly.

[Govind Mathur],J.

Praveen